

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 11-20331-CR-SCOLA/BANDSTRA

UNITED STATES OF AMERICA
vs.

HAFIZ MUHAMMAD SHER ALI KHAN
IZHAR KHAN
_____ /

JUROR QUESTIONNAIRE

General Instructions:

This questionnaire is designed to help simplify and expedite the jury selection process. Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury. The questions are not intended to unnecessarily inquire into personal matters, and all information in this questionnaire will be kept confidential. Your cooperation is of vital importance.

Please answer all the questions as fully and as possible. If you have any questions write them on the form. If you don't know the answer to a question then write, "I don't know." If the question does not apply to you, write "N/A". **DO NOT LEAVE ANY QUESTION BLANK.** If you need more space for your responses or wish to make further comments regarding your answers, please use the Explanation Sheet at the end of the questionnaire. Put the number of the question you are answering on the Explanation Sheet before you write the response or comment.

There are no "right" or "wrong" answers; only truthful answers. Do not discuss the case or consult with anyone in answering these questions. It is important that the answers be yours alone. Also, do not investigate or research any of the matters in this questionnaire. Remember, you are sworn to give true and complete answers to all questions. After reading your questionnaire, Judge Scola as well as some of the lawyers may personally interview you, and give you the opportunity to discuss your answers.

Use **black pen** only. Blue ink will not copy. Do not write on the back of any page, only the front pages will be copied. **PLEASE PRINT OR WRITE LEGIBLY. When you have finished answering the Questionnaire, you must sign your name. In that signature page you are affirming the accuracy of your answers.**

Juror Number: _____ (Listed on the summons)

Full name: _____

Hardship question¹:

The Court and the parties estimate that the trial in this case will last approximately two (2) months. It is anticipated that the jury in this case will be sitting four (4) days per week, Monday, Tuesday, Wednesday and Thursday, 9:00 a.m. to 5:00 p.m. Jurors will be paid an attendance fee of \$40.00 per day for the first ten (10) days of trial, and \$50.00 per day thereafter.

Jury service is one of the highest duties and privileges of a citizen. The participation of people like yourself is essential to the proper administration of justice. The Court recognizes that not everyone can serve on a case of this length. However, mere inconvenience or the usual financial hardships of jury service will not be enough to excuse you. You must show that service in this case would cause an unacceptable amount of personal hardship. Would you have a serious hardship if chosen for this case?

_____ **YES**, I would have a serious hardship if chosen for this case. Please answer the questions below, and fully explain your hardship. You must still complete the entire questionnaire.

_____ **NO**, I would not have a serious hardship if chosen for this case. Please move onto the next section of the questionnaire.

If **YES**, please explain the hardship, and list your current occupation. If you are retired or unemployed, please indicate that fact and list your previous occupation. Please write legibly.

Occupation: _____ Your Age: _____

Are you self-employed? _____ Are you retired? _____

Will you be paid your salary while you serve jury duty? _____

What is your hardship? _____

What arrangements can you make to lessen your hardship? _____

1. Your juror number: _____

2. Your age: _____

3. Your gender: Male _____ Female _____

4. What is your ethnic background (check)?

White/Caucasian, not Hispanic _____

Black/African-American, not Hispanic _____

Hispanic/Latino _____

Asian _____

American Indian or Native American _____

Other _____

5. City or Town where you live and number of years there _____

6. Do you own, rent, or live with others? _____

7. Present marital status (check one):

Married _____

Single (never married) _____

Widowed _____

Separated or Divorced _____

8. Are you, your spouse, or former spouse a naturalized U.S. Citizen? In other words, not a citizen by birth but had to apply and gain citizenship.

Yes _____ No _____

If yes, please state who and when he or she became a citizen. _____

9. Where were your parents born?

Mother: _____

Father: _____

10. Are your parents, in-laws, or grandparents naturalized U.S. Citizens?

Yes _____ No _____

If yes, please state your relationship to that person (for example, “mother-in-law”) and when (if you know) they became a citizen.

11. Do you have children?

Yes _____ No _____

If, “yes,” state the age of each child:

Ages: _____

12. Do you have any physical problems or disabilities, take any medication, or have any other health problems that might interfere with your ability to serve as a juror or may cause you difficulty in hearing, seeing, or understanding evidence in a trial? Please explain.

13. Do you have any difficulty reading, writing or understanding English?

Yes _____ No _____

14. What is the highest grade that you completed in school? (Circle the appropriate answer)

K - 12: 1-8 9 10 11 12

College: 1 year 2 years 3 years 4 years

Vocational/Tech School: 1 year 2 years 3 years 4 years

Graduate/Professional School, please specify: _____

15. What degrees have you earned? _____

16. If you did not graduate from high school, did you obtain a G.E.D.?

Yes _____ No _____

17. If you continued your education beyond high school, what was your major area(s) of study?

18. Have you ever taken courses or do you consider yourself to be knowledgeable in any of the following areas (check):

Law _____

Political Science _____

Criminology _____

Psychiatry/Psychology _____

Sociology _____

Religion _____

19. Are you the sole source of income for your immediate family? Yes _____ No _____

20. If you are now employed, please describe your job:

Job Description: _____

Years in this Job: _____

21. If you have not been employed with your current employer for more than one year, please describe your last job prior to your current job.

Job Description: _____

Years in this previous Job: _____

22. If you are not employed, are you:

a) a student? _____

If yes, where do you attend school? _____

How many days per week? _____

b) a homemaker? Yes _____ No _____

c) between jobs? Yes _____ No _____

d) disabled? Yes _____ No _____

e) retired? Yes _____ No _____

If retired, what was your last job? _____

23. If you are married or have a significant other, please describe their current job:

Job Description: _____

Years in this job: _____

24. If you have children who are now employed, please describe their current job(s):

25. Do you or does any relative or close friend of yours know or have any connection with any of the defendants?

Hafiz Khan: Yes _____ No _____

Izhar Khan: Yes _____ No _____

Alam Zeb: Yes _____ No _____

Amina Khan: Yes _____ No _____

Ali Rehman: Yes _____ No _____

26. Do you or any relative or close friend of yours know of, or have any connection with any of the following lawyers:

John Charlton Shipley, Jr.: Yes _____ No _____

Michael Patrick Sullivan: Yes _____ No _____

Sivashree Sundaram: Yes _____ No _____

Khurram Basir Wahid: Yes _____ No _____

Carmen Maria Vizcaino: Yes _____ No _____

Joseph Steven Rosenbaum: Yes _____ No _____

If you answered “yes” to any of the names above, describe your connection with these individuals.

27. The judge who will preside over this case is the Honorable Robert N. Scola, Jr. of the United States District Court for the Southern District of Florida. Do you, your relatives, or close friends know or have any connection with Judge Scola?

Yes _____ No _____

If yes, please explain.

28. The Defendants are charged with conspiracy to provide material support to terrorists; conspiracy to provide material support to a designated foreign terrorist organization; material support to terrorists; and Hafiz Khan is also charged with material support to a designated foreign terrorist organization. Based on the nature of this case, please tell us what feelings or opinions you may have about this case.

29. Have you heard anything about this case from friends, relatives, or co-workers?

Yes _____ No _____

If yes, what have you heard?

Have you formed any opinion about this case? Yes _____ No _____

If yes, what are your opinions or impressions?:

30. Would these feelings make it difficult for you to sit as a fair and impartial juror in this type of case? Yes _____ No _____

If yes, please explain.

31. Have you read, heard or seen any media reports about this particular case?

Yes _____ No _____

If yes, what was the source of the information (radio, TV, newspaper, etc.)

32. Have you read, heard or seen anything concerning any other case that appears to you to be like this case? Yes _____ No _____

If yes, please explain.

33. Based on what you have read, heard or seen about this case, please tell us what feelings or opinions you may have formed about this case.

34. Would these feelings make it difficult for you to sit as a fair and impartial juror in this type of case? Yes _____ No _____

If yes, please explain.

35. Have you ever served in the military (including the National Guard and the military reserves)? Yes _____ No _____

Please describe the nature of any such military service by you:

Branch: _____

Dates of service: _____

Rank: _____

Duties: _____

Honorably Discharged: _____

Deployed to War or Combat Zone: _____

36. Has any member of your immediate family ever served in the military (including the National Guard and the military reserves)? Yes _____ No _____

37. If any members of your family are currently in the military, are any of them currently deployed/stationed overseas? If yes, please explain. Yes _____ No _____

Relationship: _____

Branch: _____

Dates of service: _____

Rank: _____

Duties: _____

Honorably Discharged: _____

Deployed to War or Combat Zone: _____

38. Did you or any member of your family serve in "Operation Enduring Freedom" or "Operation Iraqi Freedom" Yes _____ No _____

If "yes", please explain.

39. Do you have any relatives or close friends in the military who are currently or were formerly stationed in Afghanistan or the Middle East? Yes _____ No _____

If yes, where is, or was that person stationed?

40. Have any relatives or close friends been injured or killed while serving in a combat or military zone in Afghanistan or the Middle East? Yes _____ No _____

41. Were you or any members of your family ever involved in a court martial?

Yes _____ No _____

If yes, please explain.

42. Have you or any members of your family had any experience in military or civilian intelligence? Yes _____ No _____

If yes, please explain.

43. Do you have family members or close friends who were the victims of terrorism in this country or abroad?

Yes _____ No _____

If yes, please explain.

44. Is there anything in particular about a case involving terrorism that would make it difficult for you to serve as a fair and impartial juror in this case?

Yes _____ No _____

If yes, please explain.

45. Are you familiar with any of these other cases?

Faisal Shazad (Times Square): Yes _____ No _____

Umar Abdulmutallab (Underwear bomber): Yes _____ No _____

Liberty City 7: Yes _____ No _____

Jose Padilla (Dirty Bomber): Yes _____ No _____

If yes, please provide your thoughts as to these cases:

46. Are you familiar with the May 1, 2012 attempted bombing of New York City's Time Square? Yes _____ No _____

If yes, what do you know about the incident?

47. Do you have extensive knowledge of Pakistan? Yes _____ No _____

If yes, how did you obtain that knowledge?

48. Do you have any opinion about the government of Pakistan? Yes _____ No _____

If yes, what is the basis for that opinion?

49. Are you familiar with a group called the Pakistani Taliban, also known as TTP, also known as Tehrik-I-Taliban-Pakistan? Yes _____ No _____

If yes, what do you know about that group and how did you obtain that information?

50. What do you know, if anything, about the conflict in Pakistan?

51. Do you or your family regularly subscribe to any magazines or newspapers?

Yes _____ No _____

If yes, please list the magazines and newspapers you or your family have subscribed to in the last five years?

52. Do you read a newspaper regularly (at least two or three times a week)?

Yes _____ No _____

If yes, list the names of the newspapers you read and indicate how often you read each newspaper.

Name of Paper _____

Once a week _____

2-3 times a week _____

4x or more a week _____

Daily _____

Sunday Only _____

53. Do you regularly read magazines?

Yes _____ No _____

If so, please list the magazine that you read:

54. Do you have a personal computer at home, or do you have daily access to a personal computer outside your home (e.g. at work, library, etc.)?

_____ **Yes, I have a computer at home**

_____ **Yes, I have daily access outside my home**

_____ **Yes, both**

_____ No

How often do you log onto the internet?

_____ Several times a day

_____ At least once a day

_____ At least two or three days a week

_____ Once a week or less

How much time do you spend on the internet daily?

_____ More than five hours a day

_____ Three to five hours a day

_____ One to three hours a day

_____ Less than one hour per day

_____ Do not spend time on the internet daily

Which of the following activities do you spend the most internet time on? Please check all that apply:

_____ E-mail/Chatting/Instant messaging

_____ Entertainment (games, cards, puzzles)

_____ Shopping/Auctioning

_____ Stock trading

_____ Banking/Paying bills

_____ Research/Information gathering

_____ Reading the news/Current events

_____ Fantasy sports

_____ Gambling

_____ Downloading music

_____ Blogging

_____ Facebook/Twitter/Other Social Media

_____ Other: please specify

55. What websites or blogs do you visit most often?

56. This case may receive media attention. The Court wants to make sure that this case is decided solely on the evidence presented in the courtroom and not based on things that are said outside the courtroom. Accordingly, the Court will advise you that you must avoid reading about the case in the newspapers, the internet, or listening to any radio or television reports about the case. The Court will advise you cannot do independent research regarding any issue in this. Using Google and other internet search engines is strictly prohibited. The Court will also advise you that you must avoid discussing this case with friends or family during the course of the trial. Would any of these requirements pose any difficulty for you?

Yes _____ No _____

57. Do you have any hobbies?

Yes _____ No _____

If yes, please describe them

58. Do you belong to a union, professional organization, religious organization, social or fraternal organization or society, or civic club?

Yes _____ No _____

If so, please state the general nature of any such organization(s) (e.g., union, service club, PTA, etc.):

59. Do you have a religious affiliation or preference?

Yes _____ No _____

If yes, please state the general type of this religious organization with which you are affiliated.

Are you a member of a church, mosque, synagogue, temple or other religious institution?

Yes _____ No _____

How often do you attend? _____

Please tell us of any offices or leadership positions you have held or currently hold at a religious institution.

60. Have you ever experienced what you believe to be discrimination against you because of your religious beliefs? Yes _____ No _____

If yes, please explain .

61. Do you believe that religious minorities are treated differently by police and law enforcement? Yes _____ No _____

If yes, please explain.

62. Do you believe that racial or ethnic minorities are treated differently by police and law enforcement? Yes _____ No _____

If yes, please explain.

63. Some people believe that persons of certain ethnic, racial, or religious groups are more or less likely to commit crimes. What are your feelings?

64. With regard to the criminal justice system, some believe that there is a difference between the way minority-group defendants, such as Muslims, are treated as compared to non-minority defendants. What are your feelings?

65. Are you aware of anyone who you feel was unfairly investigated or prosecuted for a crime?

Yes _____ No _____

If yes, please explain.

Have you or has any member of your family or close friend ever been falsely accused of anything?

Yes _____ No _____

If yes, please explain.

66. Do you have such strong feelings about the threat of terrorism that it will impact your ability to follow the law as the Court instructs you?

Yes _____ No _____

If yes, please explain.

67. Since the September 11, 2001, terrorist attacks, do you believe the government's policies and practices to prevent further terrorist attacks in the United States have been:

Too aggressive or intrusive. Yes _____ No _____

Not aggressive or intrusive enough. Yes _____ No _____

About right. Yes _____ No _____

Not Sure _____

Please explain your response including any specific concerns you have about particular policies or practices.

68. Do you have any strong feelings about the policies and practices of the United States government in response to terrorism?

Yes _____ No _____

If yes, please explain.

69. What is your opinion about the war in Afghanistan?

70. What is your opinion about the relationship the United States government has with Pakistan?

71. Do you believe that Islam generally endorses violence?

72. Do you believe that Muslims are disproportionately more violent than other religious or ethnic groups? Yes _____ No _____

If yes, what gives you that impression?

73. Do you believe that Muslims commit disproportionately more crimes than other ethnic groups? Yes _____ No _____

If yes, what gives you that impression?

74. What is your view of the Muslim or Islamic faith?

75. Are you familiar with the term "Sharia"? Yes _____ No _____

If yes, what do you know about Sharia and where did you learn it from?

76. Do you have extensive knowledge of the Muslim faith? Yes _____ No _____

If yes, how did you obtain that knowledge?

77. Do you have a strong opinion about the Muslim faith? Yes _____ No _____

If so, can you explain?

78. Do you have such strong feelings about individuals of the Muslim faith that it will interfere with your ability to follow the law as the Court instructs you?

Yes _____ No _____

If yes, please explain.

How did you come to that view?

79. Is there anything about Islamic teachings or doctrine that is personally offensive to you?

Yes _____ No _____

If yes, please explain.

80. Have you ever had personal contact with people who are Muslims, or of Pakistani descent? (Please check all answers that apply.)

Family Yes _____ No _____

Neighborhood Yes _____ No _____

Organizations Yes _____ No _____

Work/Business Yes _____ No _____

Place of Worship Yes _____ No _____

School Yes _____ No _____

None _____

Other _____

81. Have you had any significant negative or positive experiences with Muslims or Pakistanis?

Yes _____ No _____ Not Sure _____

Please explain.

82. Would such an experience make it difficult for you to listen to the evidence in the case with an open mind and render a verdict based solely on the evidence and the legal instructions presented in Court?

Yes _____ No _____ Not Sure _____

If yes, please describe your experience(s) and the feelings you have.

83. Some believe that people accused of serious crimes are frequently treated too leniently by the courts, while others says they are treated too harshly? What is your view?

84. Do you contribute services or money to any overseas organization affiliated with a particular religion? Yes _____ No _____

If so, please describe.

85. (a) Do you speak Urdu, Pashto or Arabic or did you grow up in households where any of these Arabic languages were spoken?

Yes _____ No _____

(b) Do you read any Urdu, Pashto, or Arabic language newspapers or publications?

Yes _____ No _____

If yes, please list the newspapers or publications. _____

(c) Do you watch any Urdu, Pashto or Arabic language radio or television programs, including newscasts? Yes _____ No _____

If yes, please list these programs/newscasts.

86. Have you worked in or traveled to Pakistan or Afghanistan?

Yes _____ No _____

If yes, please explain.

87. Have you ever served as a juror?

Yes _____ No _____

If yes, please list below (1) the approximate date(s); (2) whether it was in a state or federal court; (3) whether it was a criminal or civil case; (4) the general nature of the case (e.g., robbery, murder, negligence, medical malpractice, breach of contract, etc.); and (5) whether a verdict was reached:

Approx. Date _____

State or Federal. _____

Criminal or Civil. _____

Nature _____

Verdict: Yes _____ No _____

88. Have you ever served as a grand juror?

Yes _____ No _____

If yes, federal or state? (circle one)

Approximate dates

89. Have any of you ever been involved in a Court Marshal Proceeding?

Yes____ No____

If yes, please describe

90. Have you or any close friends or relatives had any education or training in the law?

Yes _____ No _____

If yes, please describe

91. Have you or any member of your family ever worked in any law related profession (for example, attorney, paralegal, legal assistant, legal secretary, clerk, etc.)

Yes _____ No _____

If yes, please explain.

92. Have you or any immediate family member ever been employed by, connected with, or applied for a job with any law enforcement, security or investigative agency including but not limited to the FBI, CIA, INS, NSA, DOD, Department of Homeland Security or the Department of Justice?

Yes _____ No _____

If yes, please explain.

93. Are you a member or supporter of any group which is either for or against gun control (such as the National Rifle Association or Brady Center)?

Yes _____ No _____

If yes, please list the organizations:

94. Have you ever appeared or testified as a witness in any investigation or legal proceeding?

Yes _____ No _____

If yes, please explain.

95. Have you ever been questioned as part of a criminal investigation by any federal, state or local law enforcement agency? Yes _____ No _____

If yes, please explain the circumstances.

96. Have you or has any member of your family or close friend ever been the victim of crime?

Yes _____ No _____

If yes, please explain.

97. Have you ever been arrested for or accused of a crime? Yes _____ No _____

If yes, please indicate: (a) the nature of the offense for which you were arrested or charged; and
(b) what happened regarding the accusation or charge.

Has anyone close to you ever been charged with a crime or been the subject of a criminal investigation?

Yes _____ No _____

If yes, please explain.

98. Have you ever been convicted of a criminal offense, other than a traffic offenses?

Yes _____ No _____

If yes, please indicate: (a) the nature of the offense; and (b) the disposition of the case; i.e., imprisonment, probation, fine, etc.

99. Has a member of your family, or close friend ever been arrested, charged or convicted of a criminal offense other than a traffic offense? Yes _____ No _____

If yes, please indicate: (a) the individual's relationship to you; (b) the nature of the offense; and (c) the disposition of the charge; i.e., imprisonment, probation, fine, etc.

100. Have you, a relative, or a close friend ever been employed by the federal government?

Yes _____ No _____

If yes, please describe the person's employment and relationship to you.

101. Have you ever applied for employment with the United States government, and either been rejected for or declined an offer of employment?

Yes _____ No _____

If so, to what agency did you apply and when?

102. Have you even applied for employment with any state or local law enforcement agency, and either been rejected for or declined an offer of employment?

Yes _____ No _____

If so, to what agency did you apply and when?

103. Do you tend to believe that a member of law enforcement, such as a police officer or a federal agent, who testifies in court is (circle one):

- a) more likely to tell the truth than other witnesses**
- b) about as likely to tell the truth as other witnesses**
- c) less likely to tell the truth than other witnesses**

104. You may hear testimony in this case concerning the use of informants or cooperating witnesses by federal authorities in their investigations. Do you have any strong feelings about the government using informants and/or cooperating witnesses?

Yes _____ No _____

If yes, please explain.

105. You may hear evidence in this case that consists of recorded conversations, either on the telephone or in person. Do you have any strong opinion about the government's use of such recorded conversations as evidence in a criminal case?

Yes _____ No _____

If yes, please explain, and would your opinion change if the recordings were made legally?

106. During this trial you may be provided transcripts of phone conversations. Some of these conversations may contain language that you may consider vulgar, offensive, and or obscene. Would these words affect you in a way that you would be distracted from fairly and impartially weighing the evidence or would it affect your ability to be a fair and impartial juror in this case

107. There may be evidence in this case about the activities of American or foreign intelligence agencies. Do you have any strong feelings about American intelligence services or foreign, intelligence services?

Yes _____ No _____

If yes, please explain.

108. One of the basic principles of American law is that a person cannot be convicted unless the prosecution proves the charges beyond a reasonable doubt. How do you feel about this principle of law?

109. Please tell us if the fact that the government is charging the defendants with support of terrorism makes it more probable that you begin the case thinking that the defendants are guilty.

Yes _____ No _____

If yes, please explain.

110. Under our legal system, the government has the burden of proving guilt beyond a reasonable doubt? What are your feelings about this principle?

111. Under the United States Constitution, a person accused of a crime does not have to testify in his defense, and his silence may not be used against him. What are your feelings about that?

112. If a person does not tell his side of the story, do you feel he is more likely guilty?

Why or why not?

113. Do you believe that the protections of free speech in a democracy extend both to citizens and naturalized citizens?

Yes _____ No _____ If not, please explain:

114. Do you believe that the criticism of United States foreign policy is protected free speech under the First Amendment to the U. S. Constitution?

Yes _____ No _____

Please explain:

115. Can a person criticize the United States government and still be patriotic?

Yes _____ No _____

Please explain:

116A. Is there any reason that you could not be completely fair and impartial to the government in this case?

116B. Is there any reason that you could not be completely fair and impartial to the defendants in this case?

117. Have you consulted with anyone in completing this questionnaire? Yes _____ No _____

118. Is there any matter not covered by this questionnaire, no matter how small, that you think the attorneys or the Judge might want to know about you when considering you as a juror in this case? Yes _____ No _____

If yes, please explain.
